

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re VIISAGE TECHNOLOGY, INC.
SECURITIES LITIGATION

Civil Action No. 05-cv-10438-MLW

This Pleading Applies to: All Actions

**UNOPPOSED MOTION FOR LEAVE TO SUBMIT COUNSEL'S
TIME RECORDS IN CAMERA**

Plaintiffs hereby move for an order authorizing the submission of their counsel's attorney time records *in camera*. In support of this unopposed motion, Plaintiffs state as follows:

1. On August 13, 2007, counsel for the Parties appeared before this Court at a hearing on Plaintiffs' Motion for Preliminary Approval of Class Action Settlement. At that hearing, the Court requested that Counsel submit detailed time records in connection with their Motion for an Award of Attorneys' Fees.
2. Plaintiffs intend to file their papers in support of final approval of the settlement, and their request for attorneys' fees, on or before Friday, November 2, 2007. The final approval hearing is scheduled for November 16, 2007 at 3:00 p.m.
3. Plaintiffs' Counsel submit that the requested detailed time records contain attorney work product that warrant *in camera* review. These time records reflect the strategies and mental impressions of the attorneys who prosecuted this class action.. Fed. R. Civ. P. 26(b)(3) dictates that attorney work product is entitled to broad protect from disclosure. While Plaintiffs' Counsel respect the Court's request for this information to assist in its determination of a fair and reasonable fee, neither Defendants nor the general public have any interest or

substantial need for this information, nor will either entity be prejudiced by the Court's *in camera* review of these records. Accordingly, Plaintiffs request that this Court maintain the work product protection of Counsel's time records by reviewing the time records *in camera*.

WHEREFORE, Plaintiffs' Counsel respectfully requests that this Court enter the accompanying proposed order authorizing the submission of the time records of Plaintiffs' Counsel *in camera*.

Certification Pursuant to Local Rule 7.1(a)(2)

Pursuant to Local Rule 7.1(a)(2), undersigned counsel hereby certify that counsel for both Parties have conferred on the matters addressed in this Motion and Counsel for Viisage does not oppose Plaintiffs' Motion.

Dated: October 24, 2007

Respectfully submitted,

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSE MOTION FOR LEAVE
TO SUBMIT COUNSEL'S TIME RECORDS IN CAMERA**

THIS MATTER came before the Court for consideration of Plaintiffs' Unopposed Motion for Leave To Submit Counsel's Time Records *In Camera*.

Upon consideration of the submissions of the Parties, and for good cause show, it is hereby ordered that in connection with their motion for an award of attorneys' fees, Plaintiffs' counsel shall submit their time records for *in camera* review.

SO ORDERED.

Dated: October __, 2007

Chief Judge Mark L. Wolf
United States District Judge